

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14735, of the Marjorie Merriwether Post Foundation, pursuant to 11 DCMR 3107.2, for a variance (Sub-section 201.1) to allow additions to accessory buildings (library and gift shop) of a museum originally approved under BZA Order No. 12297, dated April 15, 1977 and BZA Order No. 13668 dated April 12, 1982, in an R-1-A District at premises 4155 Linnean Avenue, N.W., (Square 2245, Lot 800).

HEARING DATE: January 27, 1988

DECISION DATE: January 27, 1988 (Bench Decision)

FINDINGS OF FACT:

1. The subject site is located between Linnean Avenue to the west and Broad Branch and Rock Creek Park to the east. It is known as premises 4155 Linnean Avenue, N.W. It is zoned R-1-A.

2. The site consists of a large estate of 24.5 acres and includes the main residence building (the Hillwood Museum), gift shop building, dacha (the Russian Art Collection), C.W. Post exhibit and other miscellaneous buildings, formal gardens, open space and woodland.

3. In 1968, Mrs. Marjorie Merriwether Post deeded the estate and collections to the Smithsonian Institution, subject to her retention of a life-time interest. Upon her death in 1973, the Smithsonian began preparations to operate the estate as a public museum. On July 1, 1976, the Smithsonian, being unable to resolve all of its operational problems, returned Hillwood and its collections to the Marjorie Merriweather Post Foundation of D.C. The foundation then decided to operate the estate as a specialized public museum with the endowment left by Mrs. Post for this purpose.

4. In BZA Order No. 12297, dated April 15, 1977, the Board granted the applicant permission to use the site as a museum. Among other conditions, the approval was limited to a period of five years.

5. In BZA Order No. 13668, dated April 12, 1982, the Board approved a permanent variance allowing museum use, as well as the construction of two accessory buildings, a tea room/gift shop and an Indian Artifacts Collection building. Only the Indian Artifacts Collection building was constructed.

6. The Foundation seeks approval from this Board for variance relief to allow construction of a modest addition of approximately 900 square feet to the current gift shop building; and to remodel an existing vacant accessory building, formerly the chauffeur's quarters for the original estate, to allow it to be used to house the museum's library. The Applicant does not propose to change the mode of operation of the museum as approved by this Board in Application No. 13668.

7. In conjunction with its operation of Hillwood as an art museum with a sizeable collection of Russian art, the Foundation currently maintains a library of approximately 4,000 volumes also concentrating primarily on Russian art. These volumes are currently stacked in unsuitable space along the walls of the curator's offices in the cellar of the administration building at Hillwood. This situation has resulted in a lack of usefulness of the library due to the lack of ready access for researchers, as well as extremely cramped conditions within which the curatorial staff must oversee and coordinate museum operations. In addition, the building in which the gift shop is currently housed is too small to adequately display the collection of gifts and souvenirs, that are all related to items or exhibits in the museum collection itself, being offered for sale to museum visitors.

8. The applicant proposes to renovate the long vacant structure which previously housed the chauffeur's quarters to accommodate the library. The proposed renovation includes remodelling, structural work, HVAC work, and the addition of a small dormer which will add approximately fourteen square feet to the building. The proposed library will provide for a protected location for the preservation, storage and viewing of the library volumes, as well as relieve the cramped conditions currently existing in the curatorial staff offices where the volumes are currently stored.

9. The applicant proposes to construct an addition of approximately 900 square feet to the existing gift shop to allow for proper display of the items related to the collections which are offered for sale at the museum. The structure in which the gift shop is housed was formerly an accessory dwelling for two people. The museum entertains approximately thirty-five visitors at a time. Due to the small size of the gift shop, inventory cannot be properly displayed and museum visitors are sometimes unable to visit the shop. The proposed addition will provide adequate space for the gift items and to accommodate the modest number of visitors expected to patronize the shop during each museum visit.

10. The art collections, buildings and grounds of the estate constitute a unified whole and could not easily be duplicated elsewhere. There is no suitable space currently available on the premises to adequately display the inventory

of items offered for sale in the gift shop, nor to properly accommodate the Russian Book Collection. The unique character of Hillwood, derived from combination of the collections, the buildings on the estate in which they are housed, and the surrounding gardens and grounds, constitutes an exceptional situation or condition affecting the site.

11. The site's heavy tree cover screens the proposed additions from neighboring properties and streets. Hillwood will continue to be used to display the art collections, gardens, and associated buildings which constitute the estate as a whole. The museum and grounds will only be used for such activities as directly support that purpose. Hillwood will not be available to any outside group for any type of social function.

12. The Office of Planning (OP) by memorandum dated January 6, 1988, recommended that the application be approved. The OP was of the opinion that the project would not create any adverse impacts on the surrounding properties or streets. The Board concurs with the recommendation of OP.

13. Advisory Neighborhood Commission (ANC) 3F made no recommendation on the subject application.

14. Several letters of support were submitted for the record. The letters generally stated that Hillwood has been an asset to the community, and that the proposed additions are needed, will enrich the museum, and will not prove detrimental to the surrounding neighborhood.

15. There was no opposition to the application, either of record or at the public hearing.

#### CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings of Fact and the evidence of record, the Board is of the opinion that the requested use variance and the additions to two accessory buildings would be compatible with the R-1-A District. The proposed continued operation of Hillwood and the proposed additions will not constitute any greater intrusion in that residential district than uses permitted as a matter-of-right such as churches, embassies and public schools. This conclusion is based on the ten year operating experience of Hillwood. The unique character of this museum, which could not be duplicated, derives from the combination of the collections, the buildings on the estate in which they are housed, and the surrounding gardens and grounds, all of which constitute a unified whole. The extraordinary and exceptional situation and condition of Hillwood results in peculiar and exceptional practical difficulties to and undue hardship upon the Foundation if the Zoning Regulations are strictly applied. Grant of a variance to allow construction of additions to

two of the museum's accessory buildings will alleviate the hardship to the owners of the property.

The Board concludes that granting the proposed relief will not cause substantial detriment to the public good, and will not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations. Accordingly, the application is GRANTED SUBJECT to the condition that construction shall be in accordance with the plans marked as Exhibit No. 8 as modified by Exhibit No. 20 of the record.

VOTE: 3-0 (Paula L. Jewell, John G. Parsons and Charles Norris to grant; William F. McIntosh and Carrie L. Thornhill not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

MAR 28 1966

UNDER 11 DCMR 3103.1, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

14735order/LJP32


GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 14735

As Acting Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated MAR 28 1988, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Christopher Collins, Esq.  
Wikles, Artis, Hedrick & Lane  
1666 K Street, N.W., Suite 1100  
Washington, D.C. 20006

  
EDWARD L. CURRY  
Executive Director

DATE: MAR 28 1988

PS Form 3800, June 1982

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